

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KEYCORP,)	CIVIL ACTION NO. 3:16-CV-01948-D
)	
Plaintiff,)	JUDGE FITZWATER
)	
vs.)	MAGISTRATE HORAN
)	
ALLISON HOLLAND, <i>et al.</i> ,)	
)	
)	
Defendants.)	

**PLAINTIFF AND DEFENDANT CAPITAL ONE FINANCIAL CORPORATION'S
JOINT MOTION TO DISMISS DEFENDANT CAPITAL ONE FINANCIAL
CORPORATION WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiff KeyCorp (“Key”) and Defendant Capital One Financial Corporation (“Capital One”) (collectively the “Parties”) hereby move for an order dismissing Capital One from this suit with prejudice and without an award of costs, expenses, or fees to any Party. The Parties consent to the exclusive jurisdiction of the United States District Court for the Northern District of Texas for the purpose of resolving any disputes that may arise in the future regarding the Confidential Settlement Agreement and Mutual Release related to this litigation, its terms, or enforcement. The Parties, therefore, request that this Court retain jurisdiction in order to enforce the Confidential Settlement Agreement and Mutual Release (which is related to this litigation), its terms, and/or its conditions.

Dated: May 10, 2017

Respectfully submitted,

/s/ Chad D. Cooper

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Counsel for Defendant Capital One Financial Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of May, 2017, I caused a copy of the foregoing **PLAINTIFF AND DEFENDANT CAPITAL ONE FINANCIAL CORPORATION'S JOINT MOTION TO DISMISS DEFENDANT CAPITAL ONE FINANCIAL CORPORATION WITH PREJUDICE** to be served via the Court's CM/ECF System on counsel for Holland.

/s/ Chad D. Cooper

Steven S. Kaufman (OH – 0016662)
One of the Attorneys for Plaintiff KeyCorp